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KEITH STAFFORD

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KEITH STAFFORD, an individual,  
Plaintiff,

v.

UNITED TREASURES, INC., a  
Washington corporation,  
Defendant.

AND RELATED ACTION.

CASE NO. CIV. S-04-0047 GEB PAN

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE TRIAL DATE**

The parties to the above-captioned matter, by and through their attorneys of record, hereby submit the following stipulated request for continuance of the trial date from July 12 to August 30, 2005.

The trial of this case was set to begin on July 19, 2005. On June 20, 2005, the parties attended the final pretrial conference and were informed that the court was unavailable during the week of July 19. Accordingly, the court inquired of counsel as to whether the trial could be

**FILED**

**JUL 01 2005**

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_

Ropers Majeski Kohn & Bentley  
A Professional Corporation  
Redwood City

1 moved to either July 12 or August 23, 2005. Counsel informed the court that they were available  
2 during both weeks. As such, the court rescheduled the trial from July 19 to July 12.

3 Counsel for defendant immediately left a message for his client, the President of United  
4 Treasures, Christine Zhong. On July 21, 2005, defense counsel was informed that Ms. Zhong and  
5 another United Treasures employee, National Sales Manager, Todd Brusnighan, were committed  
6 to attend a week-long trade show in Atlanta, Georgia on July 4, 2005.

7 Both Ms. Zhong and Mr. Brusnighan are critically needed at the trial of this matter.  
8 Ms. Zhong is the sole owner of United Treasures and will, therefore, be at counsel's table during  
9 the entire trial. Both Ms. Zhong and Mr. Brounsingham are key percipient witnesses to the events  
10 that serve as the basis for this lawsuit and, as such, are listed on both plaintiff's and defendant's  
11 witness lists.

12 If the trial goes forward on July 12, as scheduled, both Ms. Zhong and Mr. Brusnighan  
13 will be forced to miss the tradeshow in Georgia. This will impose a severe financial hardship on  
14 United Treasures and the witnesses. United Treasures has already paid \$23,700 to attend the  
15 tradeshow. Moreover, the revenue generated at the trade show makes up a substantial percentage  
16 of United Treasures' annual sales as it is one of only two shows United Treasures attends on an  
17 annual basis. In addition, because United Treasures has only five employees, and because it is  
18 necessary for there to be two employees at the office to run the business and three employees at  
19 the show to run the booth, the presence of Ms. Zhong and Mr. Brusnighan at trial on July 12 will  
20 require United Treasures to miss the show entirely.

21 After learning of these hardships, counsel for defendant contacted plaintiff's counsel. On  
22 July 23, 2005, plaintiff's counsel agreed that he and his client are available on August 23 or  
23 August 30 to try the case and that they would not be prejudiced if the trial was moved. Defense  
24 counsel has confirmed that defendant's other witnesses are available on those dates.

25 On July 23, defense counsel contacted the court's clerk to alert the court that this  
26 stipulation would be forthcoming from the parties. The clerk stated that the court may be  
27 available to try this case on August 30.

28 As such, in light of the foregoing, it is stipulated by and between the parties, and

respectfully requested by defendant, that the court move the trial date of this matter from July 12 to August 30, 2005. No further continuances will be sought.

Dated: June 24, 2005

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Elise R. Vasquez

ROBERT P. ANDRIS

ELISE R. VASQUEZ

Attorneys for Defendant

UNITED TREASURES, INC.

Dated: June 24, 2005

DAVIS & LEONARD LLP

By: /s/ Stephen L. Davis

STEPHEN L. DAVIS

Attorneys for Plaintiff/Counter-Defendant

KEITH STAFFORD

ORDER

Based on the foregoing stipulation of counsel, and good cause appearing therefore,

~~IT IS HEREBY ORDERED~~ that the trial date is continued from July 12, 2005 to

August 30, 2005.

Dated: 6-28-05

  
HONORABLE GARLAND E. BURRELL, JR.  
UNITED STATES DISTRICT COURT JUDGE